

Code of Virginia

Effective July 1, 2013

Title 63.2 - WELFARE (SOCIAL SERVICES)

Chapter 11 - Implementation of the Interstate Compact on the Placement of Children

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§ 63.2-1100. Definitions.

For the purposes of Chapter 10 (§ 63.2-1000 et seq.) of this title, the following words shall have the meaning ascribed to them by this section:

A. "Appropriate public authorities" as used in Article III of the compact means, with reference to this Commonwealth, the Department.

B. "Appropriate authority in the receiving state" as used in subdivision (a) of Article V of the compact means, with reference to this Commonwealth, the Commissioner.

(1975, c. 406, § 63.1-219.1; 2002, c. 747.)

§ 63.2-1101. Discharging financial responsibilities imposed by compact or agreement.

Financial responsibility for any child placed pursuant to the provisions of Chapter 10 (§ 63.2-1000 et seq.) of this title shall be determined in accordance with the provision of Article V of the compact. In the event of partial or complete default of performance thereunder, the provisions of Chapter 19 (§ 63.2-1900 et seq.) of this title may also be invoked.

(1975, c. 406, § 63.1-219.3; 2002, c. 747.)

§ 63.2-1102. Supplementary agreements.

The officers and agencies of this Commonwealth and its subdivisions having authority to place children are hereby empowered to enter into supplementary agreements with appropriate officers or agencies in other party states pursuant to subdivision (b) of Article V of the compact pursuant to Chapter 10 (§ 63.2-1000 et seq.) of this title. Any such agreement which contains a financial commitment or imposes a financial

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obligation on this Commonwealth or on a subdivision or agency thereof is subject to the written approval of the State Comptroller and of the chief fiscal officer of the subdivision involved.

(1975, c. 406, § 63.1-219.4; 2002, c. 747.)

§ 63.2-1103. Fulfilling requirements for visitation, inspection or supervision.

Requirements for visitation, inspection or supervision of children, homes, institutions or other agencies in another party state set forth in Subtitle IV (§ 63.2-1700 et seq.) of this title shall be deemed to be fulfilled if performed by an authorized public or private agency in the receiving state pursuant to an agreement entered into by appropriate officers or agencies of this Commonwealth or of a subdivision thereof as provided in subdivision (b) of Article V of the compact pursuant to Chapter 10 (§ 63.2-1000 et seq.) of this title.

(1975, c. 406, § 63.1-219.5; 2002, c. 747.)

§ 63.2-1104. Children from other states and countries.

A. Any child-placing agency or court that brings or sends, or causes to be brought or sent, a nonresident child into Virginia for the purpose of an interstate placement shall comply with the regulations and procedures adopted by the Board for the administration of the Interstate Compact on the Placement of Children (§ 63.2-1000 et seq.) regardless of whether the state from which the child is sent is a party to the compact. The agency shall also comply with all the regulations of the Board relating to nonresident children so brought or sent into the Commonwealth. Intercountry placements made by licensed child-placing agencies, courts, or other entities are subject to regulations prescribed by the Board.

B. The Board is authorized to adopt regulations for the bringing or sending of such children into the Commonwealth by child-placing agencies or courts for the purpose of an interstate placement, and for the care, maintenance, supervision and control of all children so brought or sent into the Commonwealth until they have been adopted, attained their majority, or have been otherwise lawfully discharged or released, as are reasonably conducive to the welfare of such children and as comply with the provisions of the Interstate Compact on the Placement of Children (§ 63.2-1000 et seq.).

C. In situations where a custodial parent identifies an urgent need for assistance or relief, the parent may, in cooperation with the receiving children's residential facility, place a child prior to final approval of the placement pursuant to the Interstate Compact on the Placement of Children when the placement is made without the involvement of a public officer or agency.

(Code 1950, § 63-245; 1968, c. 578, § 63.1-207; 1975, c. 406; 1977, c. 645; 1980, c. 40; 1981, c. 75; 2002, c. 747; 2012, cc. 82, 773; 2013, c. 720.)

§ 63.2-1105. Children placed out of Commonwealth.

A. Any child-placing agency, licensed pursuant to Subtitle IV (§ 63.2-1700 et seq.), local board or court that takes or sends, or causes to be taken or sent, any resident child out of the Commonwealth for the purpose of

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an interstate or intercountry placement shall comply with the appropriate provisions of the Interstate Compact on the Placement of Children (§ 63.2-1000 et seq.) or shall first obtain the consent of the Commissioner, given in accordance with regulations of the Board relating to resident children so taken or sent out of the Commonwealth.

B. The Board is authorized to adopt regulations for the placement of children out of the Commonwealth by licensed child-placing agencies, local boards or courts as are reasonably conducive to the welfare of such children and as comply with the Interstate Compact on the Placement of Children (§ 63.2-1000 et seq.). Provided, however, notwithstanding the provisions of subdivision (d) of Article II of the compact that exclude from the definition of "placement" those institutions that care for individuals with mental illness, intellectual disability, or epilepsy or any institution primarily educational in character and any hospital or other medical facility, the Board shall prescribe procedures and regulations to govern such placements out of the Commonwealth by licensed child-placing agencies, local boards or courts.

(Code 1950, § 63-73; 1952, c. 409; 1960, c. 331; 1968, cc. 466, 578, § 63.1-56; 1975, cc. 248, 406; 1977, cc. 559, 562, 634, 645, § 63.1-207.1; 1980, c. 40; 1978, c. 734; 1981, c. 75; 1984, c. 734; 1986, c. 281; 1991, c. 34; 1994, c. 865; 1999, c. 889; 2002, c. 747; 2012, cc. 476, 507.)